

REMARKS

The claims required to be amended have been amended to make them independent. In addition, certain claims which were not originally allowed have received slight amendments in order to indicate the novelty as discussed below.

The examiner, for the prior claims, pursuant to §103 of the code combined the related pellet technology of Lodge and the packaging technology of Bratad in order to find obviousness. The applicant respectfully traverses this decision.

The reason for the lack of novelty, is the lack of common purpose in a product designed for an end user to transform the product. The prior art does not combine packaging for home use with pellets. This variation in technology allows for an unobvious result. Not merely a browned and heated product, but instead a product which the user can home fry into a edible, hot pellet generated food stuff.

In addition, the pellet coating is not shown in the prior art over another unmodified food source (claim 21).

Claim 14 has been amended to bring it into conformity with the changes shown in claims 15-18. Claim 20 does not appear to have been specifically rejected and provides for a novel method of presenting microwavable pellets designed according to the teachings of the patent.

CONCLUSION

For all of the reasons advanced above, Applicant respectfully submits that the application is in condition for allowance and that action is earnestly solicited.

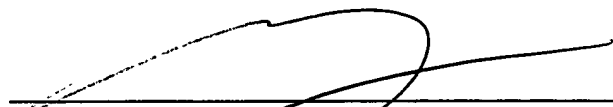
No additional fee is believed necessary.

The commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account 06-2129 in the name of Gregory

M. Friedlander.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit account 06-2129.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United State Postal Service as Express Mail NO. EV 278558588 US in an envelope addressed to: Commissioner of Patents and Trademarks, Mail Stop Non-Fee Amendment, Alexandria, VA 22313 on the 1st day of November, 2004.



GREGORY M. FRIEDLANDER

IN THE DRAWINGS

New drawings will be submitted upon receiving an allowable claim if appropriate. None are believed to be required.